

ARMY AND NAVY CHRONICLE.

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COMMUNICATIONS.

MEDICAL CORPS OF THE NAVY.

We are gratified to observe that among the recent promotions and appointments in the navy, the medical officers have not been entirely overlooked. True, it was the just expectation of many, that the number added to the list on that occasion, would have been twenty or twenty-five, instead of ten; but as Congress will be in session two or three months longer, they look upon the late promotion as an earnest only of what will succeed.

It has been a matter of astonishment to all how the Department has been able to procure surgeons for the different ships and stations, from among the scanty number contained in the Register. It speaks well for the untiring fidelity of the corps, that it has been done at all; and, moreover, conclusively shows, that they have been required to do more actual duty than any other class of officers in the navy. Let us compare them, for example, with Captains and Commanders. We all know that wherever either of these grades is required, there is attached to their respective commands a surgeon; so that, allowing the number of the former to be only adequate to the wants of the service, the list of the latter should be nearly doubled. This liberality, however, is not expected. All that has been asked for is to commission medical officers sufficient to supply all naval stations and ships, where they are allowed by law, and give reasonable relief to those just returned from sea. Surely this is nothing more than simple justice.

The Secretary of the Navy, in his report of December last, judiciously recommended an additional number of medical officers. He had before virtually acknowledged the deficiency of surgeons, and consequently an increase, by ordering to sloops of war, Passed Assistant Surgeons, instead of Surgeons, as had, before the last summer, been invariably done. The promotion of ten does not do away with the necessity of a further promotion; for of these ten nearly all are at sea; and when the Department wants a Surgeon for the next ship put in commission, they will look in vain among that number for one to order. Were the ten senior Passed Assistant Surgeons now promoted, the services of nearly all of them would be immediately available for sea service, as they are generally attached to shore stations.

The recent promotion included all but one of those doing surgeon's duty on board sloops of war. Is it not doing injustice to this gentleman, who is now the sixth from the head of the list of Passed Assistant Surgeons, in thus making him an exception, especially when it is recollect that he did not fall heir to his present duties, and responsibilities from casualties on a foreign station, but was ordered by the Department to assume them.

A circumstance worthy of notice remains to be mentioned: Two years ago, a bill was introduced in the Senate, and passed that body, (but for want of time was not carried into the lower House,) establishing the number of captains at 50, commanders at 50, lieutenants at 250, and surgeons at 70. The limits of each of the three first are now exceeded, whilst with the latter a deficit of ten still exists. The vast disproportion of surgeons to other classes is further exhibited in comparing the present navy list, with that of 1815, immediately after the late war. There were in

	1815	At present.
Captains,	32	54
Commanders,	18	54
Lieutenants,	150	290
Surgeons,	48	60

This table demonstrates that the captains and lieutenants have been increased about 100 per cent., commanders 200 per cent., and surgeons but 25 per cent.

It is unnecessary to adduce argument in favor of augmenting the medical corps, as any one, at all acquainted with facts in relation to the wants of the service, can see the absolute and glaring deficiency of surgeons; a deficiency that would not have existed, had these officers been as ready to urge their just claims, as have other grades. As it is, however, it remained for the Secretary of the Navy himself to point it out, and all interested confidently anticipate his further efforts to render more complete justice to the corps, by recommending to the President, the nomination of ten, or more, Passed Assistant Surgeons for promotion, thereby increasing the list of Surgeons to at least seventy. This number would doubtless give ample satisfaction to the medical officers, by placing them nearer an equality of numbers with other grades, in proportion to services required and rendered, and yet without encumbering the list with more Surgeons than is loudly called for by the present naval force.

ARISTIDES.

NAVAL ARCHITECTURE.

MR. EDITOR: It is with great pleasure I observe the remarks on Naval Architecture in your late papers, by a correspondent at Pensacola. All who are interested in the remotest degree in the progress of our navy, owe him much, for bringing this matter forward in so clear a light; as, until the root of this evil, as of several others, is exposed, it is in vain to look for any improvement. There is not a more important subject connected with the navy, than the construction and form of its ships; and the attention which your correspondent, M. N. K., has drawn to this subject, it is to be hoped he will keep up, as he must succeed in rendering his country a most essential service. Were others of those who are most particularly interested in this matter to turn their attention to the navy's best interests, as has your correspondent, M. N. K., the reproaches which he appears to throw upon the state of naval science in this country, would not long be merited. It is in the power of every one connected with the navy to throw some light on the matter, as all have opportunities of observation in this widely extended field.

There have appeared, from time to time, remarks on our ships, and the science in general, which have had but little effect; this may have arisen, in part, from the fact of the writers being possessed of but partial information on subjects which may not altogether have passed under their own observation, and which, to those who, upon those particular points of the subject, were aware of their inaccuracy, had the effect of throwing a shade of doubt over the whole. As an example among many, your correspondent states that the *Vandalia* was a very dull sailer; whereas other officers give her a good name.—The vessels of the exploring expedition have been cited as bad models; but it appears by the official documents in your paper, from those for whom these vessels were built, that they were considered as the most suitable that could be built, combining all the qualities required.

There may be many reasons why a ship does not perform on all occasions equally well; and examples are not wanting to show that equal skill is not always displayed in their management; a view of the subject which M. N. K. appears to have altogether overlooked. It is the duty of every one who has the interest of the navy and the country at heart,

and more especially those to whom the navy belongs, if we may so speak, to inquire into the causes of these differences and improper constructions; and to this indifference, which M. N. K. himself expresses, as to knowing where the fault lays, may be traced in a great measure the evils he so ably points out, but which he attributes to the success which has uniformly attended our arms. But it is not considered that this success had had this effect in the manner in which M. N. K. has considered the subject. Those who achieved it, who reaped such a harvest of glory, and whom a grateful country cannot too highly reward, seem to have considered that to the "*instinct de combat*" alone they owed their success; and to have overlooked the fact that the machines, or instruments, with which they operated, were of a very superior kind. The skill of the gallant commodore, and the qualities of his ship, were not less shown when pursued by an enemy's fleet, than in the subsequent action, which most conclusively shows that no courage of a commander can avail against such odds. What is the history of these ships, with which the first actions were gained?—those first actions, the moral influence of which extended through the war, and which in future wars will kindle an enthusiasm that must make any enemy quail, until they in turn become obscured by more glorious deeds; and what may not America expect from her devoted and patriotic sons?

Into whose hands could the interests of the navy be placed, with such safety and honor, as in those which had so ably defended it? And the country thought it acted wisely in so doing. An enlarged view of this subject leads those to whom this great trust is confided, to see that their ships should be a great object of attention; and those who have devoted the necessary time and attention to naval tactics, seamanship, surveying, gunnery, and the theory of projectiles, magnetism, meteorology, spherical trigonometry, nautical astronomy, hydrography, topography, natural history, zoology, conchology, mineralogy, drawing, and many other sciences, so necessary to an accomplished naval officer, could not but be aware that geometry, algebra, and the differential calculus, mechanics, hydrostatics, hydraulics, hydrodynamics, and the application of their principles to the dimensions, form, construction, masting, stowage, strength of materials, capacity, stability, centre of gravity, impulsion of the wind on the sails, direction of the resultant and resistance of the fluid, moments of inertia, centre of percussion, amplitudes of rolling and pitching, and many other parts into which the subject divides itself, could have but a small portion of their attention, and the naval officer and naval architect have each a field wide enough for their utmost efforts.

Though it may be supposed, and the pen of authority may say, that all this is concentrated in one class of men, and may give rank and power, still it is but a sealed book; knowledge can be had but by study alone.

A period has been referred to, when our ships are represented as very superior to those of the present day, but no one has pretended to say, that the person who designed and built them would have been more successful than Com. Hull or Stewart. There was certainly great knowledge and judgment shown in their construction, and, to apply some recent rules, he must have been better able to fight and manage them than any other man.

It is now said that naval architecture is following the uncertain steps of our forefathers; but by M. N. K.'s own showing, they must be following some other path. The footsteps which appear to have been followed, would seem to be some such as M. N. K. describes, which, on mounting the deck of a French frigate, could at once pronounce that there was no such ship in the American navy; which implies an intuitive knowledge of naval architecture in all its

various departments, or so sudden a conclusion could not have been reached. When circumstances allow, or in turn, (which, from the present organization of the Navy Department, may be reasonably expected,) we may look to have in our navy a frigate with a bottom formed from the impression left by this ship's deck, and it will still be said that naval architecture has been following the footsteps of our forefathers.

A school of naval architecture was established in England, but those who were brought up in it are kept back, and Captain Symonds, who had a yacht built for Lord Vernon, was made the chief constructor; but England will yet learn to her cost, as in another war perhaps we may, that there are proper persons to *design and build* ships, and others to *arm, navigate, and fight* them.

Who are these French naval architects to whom M. N. K. refers? They are men of high character, as Sanè, Dupin, Hubert, Rolland, and many more; but they have reputation and reward held out; their positions are made honorable by law, not by the will and whim of the admiral commanding the station; he cannot reduce them to the situation of little more than overseers, and give to any officer the charge of their work and men, to which they must submit, or quit the service. Their rank and station are a guarantee as to the performance of their duties, which are clearly defined, and they are supposed to understand them.

If there is any foundation for the assertion that in the navy there is too much pride to learn, it betrays great ignorance, and it certainly is time to improve the service; for in the mercantile navy, at this place at least, we find no such backwardness, as our splendid packets will show. Let a man feel a pride in his profession, be it what it may, and know that the honor and reputation, for which he strives and studies, will be his, and not be placed on brows which should be covered with other laurels, and then will there be a new impetus given, and it will be seen in this, as in every other department of science, that America does not lag far behind. Let naval architecture, for example, be made a national art; place it on a respectable footing; take off its shackles, and let it be the interest of those who make it a study, to advance the science, and the navy and its officers will be no losers. The navy will save millions of money, and its officers will have ships in which they need not shrink from any opponent.

NEW YORK, March 12, 1838.

[To be continued.]

NAVAL ARCHITECTURE.

MR. EDITOR: The following article commends itself to your naval readers; we therefore transmit it with the remark, that nothing could more tend to the *improvement* of the ships of the United States navy, than the adoption of similar measures on the part of those who have the authority so to do.

M. N. K.

The attention of all, who take any interest in naval affairs, was, some time since, directed to the progress and results of the experimental cruises which were undertaken to ascertain the respective merits of three British sloops of war, the *Orestes*, *Champion*, and *Pylades*; and particularly to make trial of a new method of constructing ship's bodies, which had been proposed by Captain Hayes, of the Royal Navy.

In 1823, a cutter, called the Arrow, which had been designed by him, and built under his direction, was launched at Portsmouth dock yard; she was tried with other cutters, and found to possess admirable qualities. The Lords of the Admiralty authorized a further trial of the system, and Capt. Hayes was allowed to prepare the drawing of the *Champion*, of 18 guns, which, it was understood, would

be opposed to the Orestes, built under the direction of Professor Inman, and the Pylades, constructed by Sir Robert Seppings; both of the same class.

So little being yet known of the nature and first principles of fluids, and the laws of their resistance, the theoretical study of naval architecture has been attended with an uncertainty tending greatly to check its progress. Those who have attempted to investigate its intricacies have undoubtedly done much, but they have still left much undone. Other sciences are continually drawing new inductions, or receiving confirmation from the results of experiments; but experiments in naval architecture are attended with so many difficulties as to have deprived it, in a great degree, of this principal means of improvement. It would be necessary, in order to obviate hasty, and possibly erroneous, inferences being drawn, to make the conditions under which the experiments should be made, so numerous, and consequently the conduct of them so expensive, as to amount to an impossibility for an individual to attempt them with any prospect of considerable success.

At different times, many experiments have been made by means of models; but, owing to the difficulty of placing a model under similar circumstances with the vessel which it is intended to represent, the results have almost always been unsatisfactory, and frequently contradictory; their failure has also often arisen from having been made under the direction of persons not adequately acquainted with the principles they were intended to illustrate. This may lead us to the consideration that the investigation of this subject should be pursued rather by experiments on ships themselves, than on models, and is, therefore, rather a national than a private undertaking.

The experimental trials of these three ships must be viewed by all who are interested in the advancement of naval architecture with the greatest satisfaction, as pointing out one of the proper means for its investigation, and giving a powerful impulse to its progress. By making experiments on ships, the valuable experience of naval officers is brought to the assistance of the naval architect. By constant observation of their good and bad qualities, with attention to those circumstances on which the variation of those qualities depends; as trim, ballasting, sails, disposition of masts, yards, &c.—the properties of ships may be assigned to their true causes. These must, of course, be made with the strictest attention to every attendant circumstance, and not till every doubt as to correctness is removed, should any inference be drawn. Such information must be of the greatest assistance to the scientific constructor, who needs such a combination of knowledge to design, with probable hopes of success.

The principal dimensions of the ships were as follows:

	Orestes.	Champion.	Pylades.
Length on the lower deck, - - -	ft. in.	ft. in.	ft. in.
Length of the keel for tonnage, - -	109 11	109 6	106 6
Extreme breadth, - -	92 10 $\frac{1}{2}$	91 10 $\frac{1}{2}$	90 2 $\frac{1}{2}$
Moulded do. - -	30 6	30 6 $\frac{1}{2}$	30 0 $\frac{1}{2}$
Depth in hold, - -	30 0	30 0 $\frac{1}{2}$	29 6 $\frac{1}{2}$
Burthen in tons, - -	7 5 $\frac{1}{2}$	7 8 $\frac{1}{2}$	8 2
	459 $\frac{3}{4}$	455 $\frac{6}{9}\frac{3}{4}$	433

Previous to their sailing on their first cruise, the Orestes's draft of water forward was 12 feet 11 inches aft, 14 feet 1 1-2 inches. The Champion drew 14 feet 6 inches forward, and 14 feet 6 inches aft. The Pylades, 12 feet 2 inches forward, 13 feet 4 inches aft. The height of the midship port from the water, was, in the Orestes, 5 feet 7 inches, Champion, 5 feet 7 inches; Pylades, 5 feet 10 inches.

The Pylades is rather longer in proportion to the breadth than the other two corvettes. The Orestes and Champion have their midship sections nearly coincident for a considerable distance above and below the water's surface; but the Champion has greater depth below the water; they have both a hollow from the keel to the floor heads, but the Pylades is straight in those parts. The Champion was constructed to sail on an even keel, the other two to draw more water abaft than forward. The two latter ships have their after bodies fine, but the Champion has hers remarkably full; and, as the sequel will show, this was a very great error of construction. The Orestes has an iron keelson, and iron limber boards, which give room for stowage, and by lowering the centre of gravity of the system, increases the stability. The Champion has the sides of her keel curved, and the keel is wider at the lower side than at the rabbet; she has also three inches more false keel than the other two. The Pylades has only six iron knees on each side to her beams, has iron limber boards, and is filled in with cement below, which increases her stability.

Every thing being ready, the command of the squadron was given to Captain Wallis, of the Niemen, and put to sea on the 16th of October, with a topgallant breeze. During the cruise, which lasted fifteen days, the winds and weather were variable, at times blowing fresh, a hard gale, and a light breeze. The ships were tried on all points of sailing, and occasionally with a very heavy sea on.

This first trial determined the following points in relation to each ship: The Champion, in the important quality of holding a wind, proved superior to the other two, and that, in this point of sailing, the Orestes was superior to the Pylades. The latter two ships carried lee-helms generally during the cruise. The Orestes, under topsails, foresail, main try-sail, and fore-topmast-stay-sail, carried her helm nearly hard down; and the Pylades was certainly most leewardly. This might have been owing to the improper placing of the masts, as both this ship and the Orestes pitched heavily when pressed with head sail—the latter, when under close-reefed-main-topsail, reefed-foresail, main trysail, and main stay-sail, with a hard wind and heavy sea, plunged deeply, but was relieved on setting the fore-top-mast staysail, and taking in the foresail.

The positions of the masts in a ship depend on the following principle: The situation of the mean direction of the resistance of the water against the ship should be found, and if the masts were then placed so that the centre of effort of the wind on the ship's sails were directly opposed to the mean direction of the resistance of the water, the action of neither of these forces would have any tendency to move the ship round her centre of gravity, and she would carry her helm amidships; or she might be made to carry it either a-lee or a-weather, by a corresponding adjustment of the two forces. The first thing to be found (the mean direction of the water) cannot, however, be determined in the present state of the knowledge of the resistance of fluids applied to naval architecture, at least by calculation, with any degree of certainty. The masting of ships is consequently determined, at present, totally by experiment.

In the Orestes and Pylades, the resultants of the resistance of the water were farther aft than the centres of effort of the wind on the sails, and of course it became necessary to produce an equilibrium between the forces by the use of the rudder.

The Pylades took in fifteen tons of ballast at Plymouth, with the hope of improving her weatherly qualities, but this does not appear to have been productive of the effect desired. By giving her greater depth in the water, and rather increasing her stability, it perhaps enabled her to keep bodily more to windward; but this advantage was counteracted by her increased draught of water, from fourteen to

nineteen inches by the stern. The additional ballast was placed round the mainmast on the lower deck; could it have been placed nearer the keelson, it would have been more effective.

The Orestes and Pylades were rather faster sailers than the Champion, and in light winds, especially before the extra ballast was taken on board, the Pylades was the fastest of the three. They were all reported to have been easy in their motions; the Orestes and Champion were very dry, the Pylades rather wet, nor could she carry sail with the other two, although on the 26th October, in her trial with the Champion, in very heavy weather, on a wind, under main-topsail, main and fore-staysails, and spanker, and also on the same day, in scudding, under main and fore-courses, and close-reefed-main-topsail, she behaved very well.

The Orestes sprung three topmasts during the cruise, and her lower masts were reported to have worked considerably, though on examination, they were found uninjured, and placed in another ship.

The principal trials during this cruise were on the 18th and 23d of October, of the sailing of which days the following is the detail: 18th October, 11 h. 15 m. A. M., the Calliope brig, having been brought by a shift of wind, five or six miles to windward, the squadron was ordered to give chase. After working to windward for nearly four hours, the Champion brought the Calliope to, having weathered about a mile and a quarter on the Orestes, which ship had weathered half a mile on the Pylades. During the trial, in going about, the main and fore yards of the Orestes locked; which accident, it was estimated, delayed her from five to seven minutes, but this time was too short to have materially affected the ultimate result. There was considerable sea on, and a smart topgallant breeze. The Orestes carried a lee-helm on both tacks.

On the 23d, fresh breeze and but little sea. The three ships were ordered to sail down to and round the Algerine, a brig lying about eight miles to leeward; they were then to beat up to, and weather, the Commodore. The Pylades passed the brig first, wore, and stood on the larboard tack; the Orestes hauled her wind on the starboard tack, three minutes and a half after the Pylades; and the Champion hauled her wind on the same tack, two minutes after the Orestes. The ships then beat up to resume their stations; the Orestes passed to windward of the Commodore, and hove to in station, about eight minutes before the Champion; and the Pylades passed to leeward of the Commodore about three minutes before the Champion passed to windward of him.

A probable reason for the difference in the results of these trials may be, that on the 23d the water was smooth. Often, when a ship is on a wind, the sea strikes her weather bow; this tends to force her head from the wind, and, at the same time, by lifting her bows out of water, the stern is plunged more deeply in, and the resultant of the resistance is consequently brought further aft, which, when a ship already carries a lee-helm, is of course more sensibly felt. But it is often observed, that when a ship is on a wind, and inclines considerably, she becomes more weatherly than before, for the inclination causes a great diminution of the lateral resistance in the after or fine parts of the body; while the bows, from their full form and roundness, do not experience a corresponding diminution. Hence the resultant of the resistance is thrown more forward, and the aridity of the ship is increased. It may also be remarked, that, in the trial of the 23d, the Orestes was only 14 inches by the stern, while on the 18th, she had 18 inches difference of draught of water.

On the 24th October, the Champion gained more to windward of the Orestes than on any other day during the cruise, which must have been owing to a very heavy sea on the weather bow; for, with all

the after sail set, the latter ship carried a turn of lee-helm. The Pylades, although laboring under the same disadvantage as the Orestes, in being leewardly, did not suffer so much from the same cause, as being sharper forward than that ship, the sea had not the same power to lift her.

It is to be regretted, that both in the Orestes and the Pylades the difference of draught of water, forward and aft, was not diminished, even to the extent of bringing the ships on an even keel, if less would not have had the effect of making them sufficiently weatherly. Another thing might have been done, which would have been a more certain guide to the constructors in making their alterations. This is, to have observed particularly what proportions of head and after sail were necessary to give sufficient weather helm; taking, at the same time, the difference of the draft of water. These data once known, the centre of effort of this proportion of sail might have been calculated, and then the positions of the masts altered, so that the centre of effort of the whole sail should be in its proper place. In all cases in which the masts of a ship do not appear to be properly balanced, this process might be found very useful.

This cruise terminated on the 1st November; the Orestes and Pylades went into Portsmouth, and were altered in several respects, as indicated by the results and occurrences while at sea. The Champion did not go into port, but was employed, during a part of the time thus occupied by them, in trying her sailing qualities with those of the Pandora brig, of 18 guns, just arrived from a foreign station. The result was, that the brig proved most weatherly, and the Champion fastest off the wind.

The principal alterations made in the Orestes, were, shifting the masts aft, and increasing the diameter of her spars. The foremast was shifted aft 1 foot 6 inches; the mainmast 1 foot 3 inches, and the mizen-mast 2 feet 9 inches. The mainmast was lengthened 18 inches, the main-topmast shortened 4 inches. The foremast lengthened 12 inches, fore-topmast shortened 12 inches. Mizen-topmast lengthened 3 feet 8 inches, mizen-top-gallant-mast lengthened 10 inches. The bowsprit was lengthened 3 feet 3 inches; the jib-boom shortened 5 inches.

The alterations in the Pylades, were, shifting the foremast 2 feet further aft, and shortening it 18 inches; ten of which were cut from the heel of the mast, and the other eight gained by the removal of the mast aft. An additional keel, a foot in depth, was bolted to the original keel. No alterations were made on the Champion, except an increase of size of her courses—the fore, 150 square feet, the main 300.

The number of the crew in the first cruise, in each vessel, was, in the Orestes 97—in the Champion 106—in the Pylades 110. In the second cruise, about to be commenced, the Orestes had 132 men—the Champion 137—and the Pylades 136. The draught of water for each ship, on the first trial, has been stated. The Orestes now drew 13 feet 3 3-4 inches forward, and 14 feet aft. Champion, 14 feet 7 inches forward, 14 feet 4 inches aft. Pylades 13 feet 10 1-2 inches forward, 14 feet 5 1-2 inches aft. It must not be forgotten that the Orestes and Pylades carried lee-helms, and from the reasons which have been given for it, it appears evident that the alterations necessary would be such as should either bring the centre of effort of the wind on the sails farther aft, or the resultant of the resistance of the water farther forward. The alterations which were made seemed likely to produce a proper effect both ways, by combining them. Thus, in the Orestes, the masts were removed further aft, some spars increased, others diminished, and her draught of water lessened aft. Therefore the centre of effort of the wind on the sails was reduced from 8.77 feet to 5.3 feet before the middle of the water line, and the resultant of the resistance of the water was brought forward. Her top-

masts were of too great length, and therefore her topsails were, in consequence, very large. The main and fore topmasts were shortened, as stated already, and in order not to lose surface of sail, the main and mizen top-sail yards were lengthened. The stive of her bowsprit was also lessened 5 inches, having been (in 12 feet) 5 feet 9 inches. The alteration which was made in the position of the fore-mast of the Pylades, the diminishing its height, and the change in the water line, exhibited the same intention as the similar alterations in the Orestes, and the additional foot of keel increased her lateral resistance.

The ships were now ready for their second cruise, and placed under the command of Sir J. Phillimore, of the Thetis frigate. They sailed from Spithead on the 16th December, and returned on the 27th January, having intermediately put into Plymouth and Scilly. They were fairly tried on all points of sailing, and in all kinds of weather, the wind varying in force from a light breeze to a hard gale.

This second trial proved, that the alterations which were made in the Orestes and Pylades were founded on correct principles. The Orestes now carried a weather helm, and ranked decidedly the first of the squadron when on a wind; at the same time she maintained the character of a fast sailer, under all circumstances. The Pylades, from being leewardly, was now nearly equal to the Orestes, and from the removal of her mast, she was a much drier ship than at first.

The Champion, during the early part of the cruise, was much more weatherly than she became latterly. As her water and stores were consumed, she lost this property, without gaining in velocity. On the 18th December, this ship and the Pylades were equal; while on the 22d January, the latter ship not only beat her on a wind, but also fore-reached her very considerably. The form of the Champion's after-body may be assigned as the cause of this difference. The principal permanent weights are obliged to be stowed aft, the decreasing weights forward; therefore the draught of water forward is constantly diminishing, and the resultant of the resistance drawing aft, will of course diminish the weatherly properties.

The relative stability of the three ships was fairly tested on the 2d and 18th Jan. On the 2d it blew hard at W.N.W., with a heavy sea running. The squadron got under weigh at 8 A. M., under courses, double-reefed fore and main-topsails, close reefed mizen-topsail, jib, and reefed spanker; The Champion and the Pylades carried their fore-topmast-stay-sail; the former in addition to the above sail, the latter instead of her jib. At 10 h. 45 m. the Champion shook a reef out of her fore and main-topsails, and at 11 h. 20 m., the Orestes did the same. At 12 the squadron was ordered to tack. The Orestes missed stays and wore, the other two ships stayed. At 20 m. P.M. a squall obliged the squadron to bear up and shorten sail, with the exception of the Champion, and her inclination during the 20 minutes that the squall lasted, was from 18 to 20 degrees.

On the 18th it blew very hard from the N. W. by W., with a very heavy sea running, and the ships steering a S. W. by W. course. At 10 h. 45 m. A. M., the Commodore made signal to carry all sail consistent with safety. The relative positions of the three ships were, at that time: the Champion 1 3-4 miles to windward of the Orestes, and three points before her beam; the Pylades one third of a mile to windward, and three quarters of a mile ahead of the Orestes.

The trial began under close-reefed topsails, whole courses, jib, and double-reefed spanker; the quantity of sail was gradually increased by the ships as they found they could bear it; and at 2 h. 20 m. P. M., the Orestes was under double-reefed main, treble-reefed fore and mizen-topsails, whole courses, jib, and double-reefed spanker; the Champion, under

treble-reefed topsails, other sails the same as the Orestes; Pylades, under treble-reefed main, close-reefed fore and mizen-topsails, reefed courses, fore-topmast staysail and spanker. During the trial the squadron continued on the same tack. At 4 h. 30 m. P. M., the Orestes weathered the Champion, and hoisted colors; the Commodore made the recall. At 4 h. 40 m. she crossed the Champion's bows and bore up. At the close of the trial the Champion was a quarter of a mile to leeward, and one third of a mile astern; The Pylades 1 1-2 miles to leeward, and half a mile ahead of the Orestes.

This trial of the 18th was, of course, one of the most decisive which took place during the cruise, as the ships began it under an order to do their utmost, and were, soon after its commencement, under nearly the same sail; nothing was lost or gained by tacking; the result of the day was left to depend wholly on the good properties of the vessels.

On the return of the squadron to Portsmouth, the following were the principal alterations made in each ship:

In the Orestes, the mizen-mast was moved forward one foot, its height the same as before. The fore-mast was raked, from the keel upwards, 2 inches in 12 feet; the main-mast 4 inches, and the mizen-mast 9 inches, in the same distance. Her fore, main, and mizen-topmasts were shortened a little, and her fore and fore-top-gallant, main and main-top-gallant yards slightly increased in length and lessened in diameter.

In the Champion, a poled mizen-topmast was taken instead of a mizen-top-gallant-mast, and her masts and yards were increased in length and diameter.

In the Pylades, an addition was made to the rakes of the main and mizen-masts, making that of the main 10 1-2 inches in 12 feet, and that of the mizen 10 3-4 inches in the same distance. The spanker boom was lengthened 5 feet, the gaff 2 feet 6 inches; the cross-jack-yard 3 feet 4 inches; and the mizen-topsail-yard 3 feet 1 inch, while the bowsprit was shortened 2 feet.

It had been ascertained by experiment that no alteration in the positions of the Champion's masts would prove beneficial to her. Therefore, to gain velocity, and improve the ship's qualities generally, the size of her masts and gear were increased, and, consequently, the size of the sails. An extra quantity of ballast was taken on board, which, added to the other additional weights, brought the ship 5 1-2 inches by the head, and, of course, brought the resultant of the resistance forward. The centre of effort of the wind was also carried forward, by the increase and alterations of the sails. The Orestes had a comparatively small addition to the area of her sails, preserving the centre of effort at the same height from the water as before, but removing it further forward by changing the position of the mizen-mast. During the last cruise, with the wind quarterly, and both spanker and main-sail set, she had carried half a turn of weather-helm; and in the gale on the night of the 17th January, with no sail abeam the close-reefed main-topsail, she also required half a turn, particularly during the squalls; it was therefore thought that she would bear a small diminution in this respect.

The alterations made in the Pylades, on her return from the first cruise, had not, it appears, sufficiently increased her weatherly properties, as during the last cruise, she still only carried her helm a-midships, and often, when there was any sea, even with her spanker set, she carried it a-lee; she had, therefore, an addition to her after sail, and an increase of rake to her masts. When every preparation had been completed, and the ships were ready for sea, Captain Sturt, of the Phæton frigate, was appointed to the command.

The Orestes' draught of water was 13 feet 4 inches forward, 14 feet 2 inches aft; the Champion, 15 feet

6 1-2 inches forward, 14 feet 7 inches aft; the Pylades, 13 feet 9 inches forward, 14 feet 5 inches aft.

The squadron sailed from Spithead on the 21st March, put into Scilly on the 2d April, and re-anchored at Spithead on the 11th. As in both the previous cruises, each ship was fairly to be judged by her aggregate good qualities, and these were to be displayed under all circumstances of wind and weather.

For the purpose of experiment, the Phæton had hollow cylinders of iron for the main-mast and bowsprit. She sprung her bowsprit on the 25th March, and the main-mast on the 26th, which, as it incapacitated the Commodore for carrying sail, he could not superintend the trials as actively as was desirable. From this circumstance, the results of the cruise were not so decisive as they might have been, though still very interesting.

The Orestes, in this cruise, lost the superiority she had maintained during the last. On the 24th March, under double-reefed topsails, courses, spanker, and jib, with an inclination of 12 degrees, she carried her helm amidships. A ton and a half of ballast was then moved from under the cabin to the square of the fore hatchway, and, at the same time, the main-stay was slackened six inches; these two things made an alteration in the helm to a spoke and a half a-weather; and the next day, under courses, close-reefed-topsails, jib, and double-reefed-spanker with the tack up, she carried her helm three spokes a-weather, there being less sea. On the 27th, another ton was moved to the fore-bulk-head of the hold from the Captain's store room. On the 28th, the fore-stay was slackened, and on the 29th another ton and a half of ballast was moved forward; but on the trial of the 31st, under jib, courses, reefed-spanker, reefed-main, and double-reefed fore and mizen-topsails, with an inclination of 14 degrees, she was found to carry half a turn of weather-helm; consequently the last moved ton and a half was replaced in the Captain's store room, the shot boxes were shifted from the after part of the fore hatchway, to the cabin tier, and the boatswain's store room was cleared of all the heavy rope, which was stowed in the square of the main hatchway. The ship was now found to be very much improved; and as, although there was still two and a half tons of ballast, which had been moved forward, a great deal of heavy weight had been carried aft, the slackening of the fore and main-stays must have had a great part of the effect. This was the opinion of all on board; and, therefore, while the squadron lay at Scilly, the lower rigging was slackened, and the main and mizen-masts brought to the rake they had during the second cruise, by which the ship was greatly benefitted.

The Champion's sails were increased by the alterations, between a ninth and a tenth more than she carried in the second cruise, and the centre of effort was not only raised 3.2 feet in height; but, in consequence of the extra ballast and weights which this obliged her to take on board, was also carried 1.86 feet further forward; she therefore pitched heavily. So very greatly was this ill result of her large masts felt, from the strain they brought on the rigging, that on several occasions, especially in the heaviest weather, she could not venture on trial with the other ships, and it does not appear that her velocity was increased by her additional canvas.

The Pylades, with no other alteration than a removal aft of 1.8 feet of the centre of effort, (chiefly by raking her masts,) was found to answer extremely well under almost all circumstances, and was much drier than in either of her former cruises.

The ships having now performed their cruises, a fair judgment may be formed of their relative sailing qualities, by the preceding statements of the different trials. In the first cruise, the Champion proved superior to the other two; in the second, the Orestes; and in the last, the Pylades. By taking the average

of the three cruises, the Orestes stands first, the Pylades second, and the Champion third.

As men of war, however, other qualities of equal importance with fast sailing, must be considered, in forming a correct opinion of their relative excellencies. Stowage, accommodations, stability, and easy motion in pitching and rolling, must each be duly estimated. The best combination of all these qualities constitutes the best ship; and no quality must be considered, if the disposition of any of the elements of the construction made to insure it, is attended with a sacrifice in other important properties.

The Champion had greater capacity than the Orestes, and the Orestes than the Pylades; but the Orestes was fully capable of carrying the establishment of stores appointed for her class, and the greater capacity of the Champion was principally owing to her *fullness aft*, which required all her ballast to be there stowed, to bring her in proper trim. The strain upon that part of the ship must have had a tendency to weaken the structure. The stowage of the Pylades was inferior to that of either of the other two ships, though not subject to the ill effects arising from the *peculiarity* of the Champion's construction.

With respect to the accommodations for the officers and crew, the Champion had the best for the officers, the Orestes for the men. The Pylades was inferior to both in these respects, having less space upon her berth deck by 242.41 square feet than the Champion, and 142.64 square feet less than the Orestes. In rolling they were all considered easy. In pitching, all were easy; but the Pylades was not so dry as the other two. In stability, the Orestes and Champion were nearly equal, the Pylades was not so stiff, though by no means deficient in comparison with other ships. But the peculiarity in the Champion's construction materially affected the permanence of her stability: she required her ballast to be stowed aft, consequently its centre of gravity was much higher than it otherwise would have been; and as the consumable parts of the stores were diminished, this had a proportionally greater effect in raising the centre of gravity of the system, and, therefore, lessening the stability.

On the whole, then, *the great fullness of the after body of the Champion was certainly a considerable fault in her construction*; in the Pylades the stowage and accommodations were small; and the Orestes (decidedly the finest ship of the three) would no doubt have been improved, *had her bow been rather sharper*.

In the United States navy, *this error of construction has been obstinately persisted in*, which was so completely demonstrated in the case of the Champion, as her greatest fault. With one or two exceptions, all our corvettes are like that ship, very full aft, which not only renders them unsightly, but, as has been clearly proved, totally unfit them for hazardous service. If caught in a gale of wind upon a lee-shore, we should consider most of them as doomed ships, if their safety depended on their own good qualities.

From the Norfolk Beacon.

ENLISTMENT OF BOYS IN THE NAVAL SERVICE.— We published, not long since, the law of Congress authorizing and providing for the enlistment of boys in the naval service, and we now add the regulations prescribed by the Navy Department for the carrying the law into execution. They are judicious, practicable, and well designed to render the apprentice a good seaman, and a useful citizen. His education is provided for, his expenses are defrayed, his wages liberal, and the prospects of promotion, in case of good conduct, certain and flattering.

The moral effect of this law will be highly favorable. In rescuing many a youth from the sinks of dissipation and arresting a career of ruin, and, farther,

in placing him in a position where virtue will be rewarded and vice condignly punished, not only is the individual blessed by the deed, but society at large receives an important benefit. The direct operation of the scheme is to fill our ships with seamen born on our soil, attached to our institutions, and able and ready to defend them. It will particularly exalt the character of the common sailor, and make it known to the world that there is no more need of blackguardism, drunkenness and profanity on the sea than on the shore; and that the laborer before the mast may be as good a citizen and as upright a man as any other engaged in the different avocations of society. The day has passed by when the long queue, the weltering swagger, the startling oath, and the last degree of moral recklessness, were deemed necessary to make a sailor, and it is now seen that a man may be a first rate seaman, and yet as sober, useful and esteemed a citizen as his brethren in any other profession.

The authors of the law deserve great credit for their foresight and practical wisdom, and we know no individual who strove harder to rouse public attention in this regard than a citizen of Norfolk, now no more, Capt. RICHARD DRUMMOND, who drew up the first memorial on the subject, and laid it on the desk of the Reading Room, for the signatures of the people. As in duty bound, we gave him our humble aid, and called the attention of the northern cities to the importance of the scheme. The Baltimore American took the matter up, and pressed it with its usual ability upon its readers. Other presses followed the example, and the country became sensible of the wisdom of the scheme. Memorials were presented to Congress, and they received the hearty co-operation of Mr. Loyall, our representative in Congress. The bill passed both Houses of Congress, and received the ready assent of the President, whose attention had been personally called to its provisions by our departed townsman already named. The Secretary of the Navy determined at once to act upon the law, and prescribed the annexed regulations :

REGULATIONS

For the enlistment and employment of Boys who may be entered to serve in the Navy until they arrive at the age of twenty-one years.

In the enlistment of Boys to serve until twenty-one years of age, as authorized by the Act of Congress, approved on the 2d day of March, 1837, none are to be entered who shall be under thirteen or over sixteen years of age, and who, after careful examination and inquiry, shall not be deemed of sound constitution, good health, and free from all injuries, defects, or disease, which would be likely to render them unfit to perform the duties which are expected from them.

No Boy is to be entered who shall have been convicted of any criminal or disgraceful offence, or who shall have been sent to any house of correction or refuge, or other place of punishment.

No advances are to be made by the recruiting officer to the boys who may enter, or to their parents or guardians; but such clothing and other articles as may be necessary to their comfort, will be furnished upon the orders of the commanders of the receiving vessels when they repair on board for duty.

Whenever it can be ascertained that a Boy wishing to enter has a parent or guardian whose presence can be obtained, such parent or guardian must sign his or her name in the proper column of the Shipping Articles, as evidence of his or her assent to the enlistment.

When the parent or guardian cannot be present, and can be referred to, they must sign duplicate certificates of assent in presence of, and certified by, some Justice of the Peace, or other Magistrate, according to a form which will be furnished, one of which certificates must be transmitted to the Secretary of the Navy with the Monthly Reports of the recruiting officer, and the other sent to the commander of the receiving vessel, to be transferred with the account of the boy from one vessel to another, whenever he is transferred himself.

At the time of their enlistment they are to be rated as of the second or third class Boys, according to their age, size and qualifications.

The pay of Boys of the third class shall be five dollars a month, and the pay of boys of the second class shall be six dollars a month. First class boys to receive seven dollars.

When they cannot be attached to vessels in commission, they shall serve on board some one of the three large receiving vessels.

They are to be supplied under the immediate direction of the commander of the vessel, with such articles of clothing and other necessaries as may contribute to their health and comfort; but after the first supply, the amount which may be due them is on no account to be exceeded: on the contrary, it is desirable that they should have as large an amount due to them as possible at the expiration of their service.

They are not to be allowed to draw the spirit part of their ration, nor to receive tobacco, but on the contrary, they are to be encouraged, and required, if possible, to abstain from the use of both.

Whenever their rate of pay will allow it, they may allot to a parent, such amount as shall not reduce the amount left for their own use below six dollars a month, nor more than one half their pay, when that half shall exceed six dollars a month.

They shall receive no part of their pay for their personal use until their discharge, excepting for clothing and necessaries as herein before provided, and occasional small advances in money, under direction of their commander, for the purchase of articles conducive to health, and for small expenses when permitted to go on shore on liberty; care must be observed, however, that this indulgence is not abused.

Every commander of a vessel in which any of these Boys may serve, shall cause them to be well instructed in reading, writing, and arithmetic, and to be employed on all such duties which they may be competent to perform, as may give them a thorough knowledge of seamanship, and best qualify them to perform the duties of seamen and petty officers.

They are never to be required or permitted to attend as waiters or servants to the officers whenever there are other persons present who can properly perform those services.

As an inducement for exertion and a reward for good conduct, all persons enlisted under this provision shall be eligible to promotion in the same manner as other persons of the ship's company, as vacancies may occur, and their qualifications and conduct may merit; but all such promotion of boys shall be gradual and regular from third to second, and from second to first class boys, landsmen, ordinary seamen, seamen, and petty officers; and on the other hand, they shall also be subject to a reduction of rating, like all other persons, for neglect or misconduct.

If they shall serve the full term of their enlistment in a manner satisfactory to their respective commanders, they shall, upon their discharge, receive a certificate stating the length of such service, and the time served in each rating, and the opinion which is then entertained of their conduct, qualifications, and merits.

Should they subsequently wish to re-enter the service, and produce to the recruiting officer a certificate of good conduct while serving under their first enlistment, such officer shall, if men are required, and there shall be no objection on the score of health or other disqualification, give a preference to them over other persons who have not previously served in the navy.

Should any of them give decided evidences of the talents and conduct which might, by proper attention and cultivation, make them valuable Boatswains, Gunners, or Masters, for the navy, they are to be specially reported to the Secretary of the Navy, and the commander of the vessel shall give all proper facilities to advance their instruction.

At the expiration of their service, or at their regular discharge, they shall receive the amount which may then be due to them.

These regulations to be subject at all times to such alterations and modifications as the Secretary of the Navy, for the time being, may deem necessary or expedient; and it is to be understood that they form no part of the agreement between the United States and the other parties, all of which are contained in the Shipping Articles.

WASHINGTON CITY;
THURSDAY, MARCH 29, 1838.

**A SERMON ON THE OCCASION OF THE DEATH OF
LT. COL. A. R. THOMPSON, OF THE U. S. A., BY THE
REV. JOHN KNOX, D. D.—**This sermon was delivered on the 11th Feb., 1838, in the Middle Dutch Church, and the author is the senior pastor of the Reformed Protestant Dutch Church, of the city of New York.

The application of particular cases in illustrating general principles, is a common and proper mode adopted by authors and orators to enforce their views upon the attention of their readers or hearers. The Divine calls upon his congregation to prepare for death—the Legislator warns you of impending danger by the examples of history—and the Barrister quotes precedents innumerable in support of any point he may desire to establish.

The principal events in the military life of Colonel THOMPSON have been already given in a short biographical sketch, copied from the Christian Intelligencer. In the sermon before us, the Reverend prelate has portrayed the Christian character of this lamented officer, and has judiciously chosen for his text that well known invocation of St. Matthew—“Be ye also ready.”

Officers, both of the army and navy, have it materially in their power to improve the moral condition of those under their command, by example and precept, the former much the most efficient of the two; and wherever instances occur of such beneficial influence being exerted, they should be held up for approval and imitation. In all the attributes of a Christian soldier, Col. THOMPSON shone conspicuously; the more is it to be lamented that his life was not prolonged for further usefulness.

The U. S. schooner Shark, Lieut. Comd't G. F. Pearson, arrived at Norfolk on Saturday last, in 17 days from St. Thomas. The Shark left Mahon on the 24th Dec., and arrived at Malaga in fourteen days; left Malaga on the 13th Jan., and put into Gibraltar Bay on the 15th, where she was detained several days by head winds. On the 7th Feb. put into Santa Cruz, Teneriffe, for water and provisions. Touched at St. Thomas, W. I., for wood and water, and sailed thence on the 6th inst. The Shark has brought home several men from the squadron in the Mediterranean, whose terms of service had expired.

Officers: Lt. Comd't G. F. PEARSON; Lieuts. J. Colloun, B. J. Totten; Surgeon, D. Egbert; Acting Purser, J. C. Holland; Master, W. H. J. Robertson; Midshipmen, Mullany, Haggerty, Maffit, Woolsey; Captain's Clerk, J. Hoban.

A Board of Naval Surgeons will convene at Philadelphia, on Monday the 14th May next, for the examination of Assistant Surgeons for promotion, and candidates for admission into the Navy.

The Board will consist of Surgeon W. P. C. Barton, President; Surgeons T. Harris, M. Morgan, T. J. Boyd, and T. Dillard, members.

COAST SURVEY.—The following named officers have been ordered to the U. S. brig Washington, (late Revenue Cutter,) under the command of Lieut. T. R. Gedney, for duty on the coast survey.

Lieuts. S. C. Rowan, A. Griffith, R. W. Meade. Passed Mid. J. L. Ring, F. Clinton, A. A. Holcomb, L. Handy, W. H. Ball, D. D. Porter, O. H. Berryman, R. Bache, C. P. Patterson, R. Wainwright. Passed Asst. Surgeon M. G. Delaney.

The nomination of Capt. A. A. NICHOLSON to be Quartermaster of the Marine Corps, has been confirmed by the Senate.

The deaths in the British Navy, during the last quarter of 1837, were—three admirals, four captains, nine commanders, eighteen lieutenants, five masters, seven surgeons, two assistant surgeons, one purser, and five lieutenants of marines.

Major General SCOTT arrived in this city a few days since from the northern frontier, and is, we are pleased to learn, in good health.

There are various rumors afloat respecting the exploring expedition, but while the question of a commander remains undecided, we do not think it worth while to repeat them.

Extract of a letter from an Officer of the Marine Corps, dated “CAMP COCHECO, March 1, 1838.

“We have scoured this part of the country all through—that is, where it is not under water,—and furnished night guards to citizens resident in the vicinity. About 11 miles east of this, ten or twelve Indians attacked a house, containing one man and his family; as they attempted to force open the door, he knocked out one of the pannels and shot the head man, upon which they immediately retreated, and took the body with them. It was probably Tigertail, as he has been up this way with a party of some thirty.

“We think to leave this place soon, and make an ascent of the Ocilla river in boats, to try what is to be done in that quarter. We have brushed up the St. Marks, and the islands, without success. The country is at present quite unfavorable for operations against the Indians, owing to the great body of rain that has lately fallen. I have never witnessed heavier rains than we have had for the last two weeks.”

ITEMS.

The British corvette Pearl dropped down from Norfolk on Friday 16th inst., in tow of the British steamer City of Kingston. Lord PAGET arrived in the Baltimore boat on Saturday. The Pearl will sail the first fair wind for Bermuda.

We learn from the Brockville Statesman, that the bill which passed the Upper Canada House of Assembly, granting a sum of money to purchase swords, to be presented to Col. McNab and Capt. Drew, has been rejected by the Legislative Council; having only five members of that body to vote for it.

Sir John Colborne has issued his proclamation, declaring martial law to be still in force in the provinces of Lower Canada.

Maj. Gen. Gaines arrived at New Orleans on the 13th inst., from St. Louis.

On Saturday night, 17th inst., one of the U. S. Armory buildings at Harper's Ferry, used as a "proof house," was destroyed by fire, occasioned, it is believed, by accident. The workmen, says the Charles-town Free Press, were engaged in the building on Saturday evening, proving guns, and late at night the fire was discovered issuing from the interior of the building, when too late to save it.

TROOPS FOR CANADA.—A London evening paper of February 15th, states that the battalions ordered for Canada, which were to march for embarkation next day, had received counter orders, and would not march, if at all, until the expiration of six weeks. This counter order was doubtless occasioned by the abandonment of Navy Island, news of which was received in London on the 14th.

The Terpsichore, French frigate, from Martinique, bound to Brest, having on board the Governor of Martinique and his lady, was towed into Cork harbor, in a shattered condition, all her guns and more bulky articles had been thrown overboard to lighten her in a severe storm which she encountered off the coast of Ireland.

The Paris journals state, on the authority of letters from Africa, that Marshal Vallee has reported that a regular army of 48,000 men, well supplied with stores and provisions, will be requisite to the maintenance of the French authority within the limits of its present conquests.

ARRIVALS AT WASHINGTON.

March 21—Lieut. W. O. Kello, 2d Inf., Gadsby's.
26—Asst. Surgeon C. M. Hitchcock, do.

PASSENGERS.

NORFOLK, March 17, per steam packet Neptune, from Charleston, Capt. E. S. Winder, and Lieut. B. Bragg, of the army.

LAW OF THE UNITED STATES.

[**PUBLIC.—No. 10.**]

AN ACT supplementary to an act entitled "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the act therein mentioned," approved twentieth of April, eighteen hundred and eighteen.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several collectors, naval officers, surveyors, inspectors of customs, the marshals, and deputy marshals of the United States, and every other officer who may be specially empowered for the purpose by the President of the United States, shall be, and they are hereby respectively authorized and required to seize and detain any vessel or any arms or munitions of war, which may be provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign Prince or State, or of any colony, district or people conterminous with the United States, and with whom they are at peace, contrary to the sixth section of the act passed on the twentieth of April, eighteen hundred and eighteen, entitled, "An act in addition to the act for the punishment of certain crimes against the United States, and to repeal the acts therein mentioned," and retain possession of the same until the decision of the President be had thereon, or until the same shall be released as hereinafter directed.

SEC. 2. And be it further enacted, That the several officers mentioned in the foregoing section shall be, and they are hereby respectively authorized and required to seize any vessel or vehicle, and all arms or munitions of war, about to pass the frontier of the United States, for any place within any foreign State or colony, conterminous with the United States, where the character of the vessel or vehicle, and the quantity of arms and munitions, or other circumstances, shall furnish probable cause to believe that the said vessel, or vehicle, arms or munitions of war are intended to be employed by the owner or owners thereof, or any other person or

persons, with his or their privity, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or State, of any colony, district, or people conterminous with the United States, and with whom the United States are at peace, and detain the restoration of the same until the decision of the President be had for the same, or until such property shall be discharged by the judgment of a court of competent jurisdiction: *Provided*, that nothing in this act contained be so construed as to extend to, or interfere with, any trade in arms or munitions of war, conducted in vessels by sea with any port or place whatsoever, or with any other trade which might have been lawfully carried on before the passage of this act, under the law of nations and the provisions of the act hereby amended.

Sec. 3. And be it further enacted, That it shall be the duty of the officer making any seizure under this act, to make application, with due diligence, to the district judge of the district court of the United States, within which such seizure may be made, for a warrant to justify the detention of the property so seized; which warrant should be granted only on oath or affirmation, showing that there is probable cause to believe that the property so seized is intended to be used in a manner contrary to the provisions of this act; and if said judge shall refuse to issue such warrant, or application therefor shall be made by the officer making such seizure within a reasonable time, not exceeding ten days thereafter, the said property shall forthwith be restored to the owner. But if the said judge shall be satisfied that the seizure was justified under the provisions of this act, and issue his warrant accordingly, then the same shall be detained by the officer so seizing said property, until the President shall order it to be restored to the owner or claimant, or until it shall be discharged in due course of law, on the petition of the claimant, as hereinafter provided.

Sec. 4. And be it further enacted, That the owner or claimant of any property seized under this act, may file his petition in the circuit or district court of the United States, in the district where such seizure was made, setting forth the facts in the case; and thereupon such court shall proceed, with all convenient despatch, after causing due notice to be given to the district attorney and officer making such seizure, to decide upon the said case, and order restoration of the property, unless it shall appear that the seizure was authorized by this act; and the circuit and district courts shall have jurisdiction, and are hereby vested with full power and authority, to try and determine all cases which may arise under this act; and all issues in fact arising under it, shall be decided by a jury in the manner now provided by law.

Sec. 5. And be it further enacted, That whenever the officer making any seizure under this act shall have applied for and obtained a warrant for the detention of the property, or the claimant shall have filed a petition for its restoration, and failed to obtain it, and the property so seized shall have been in the custody of the officer for the term of three calendar months from the date of such seizure, it shall and may be lawful for the claimant or owner to file with the officer a bond to the amount of double the value of the property so seized and detained, with at least two sureties, to be approved of by the judge of the circuit or district court, with a condition that the property, when restored, shall not be used or employed by the owner or owners thereof, or by any other person or persons with his or their privity, in carrying on any military expedition or operations within the territory or dominions of any foreign prince or State, or any colony, district or people, conterminous with the United States, with whom the United States are at peace; and thereupon the said officer shall restore such property to the owner or claimant thus giving bond: *Provided*, That such restoration shall not prevent seizure from being again made in case there may exist fresh cause to apprehend a new violation of any of the provisions of this act.

Sec. 6. And be it further enacted, That every person apprehended and committed for trial for any offence against the act hereby amended, shall, when admitted to bail for his appearance, give such additional security as the judge admitting him to bail may require, not to violate, nor to aid in violating, any of the provisions of the act hereby amended.

Sec. 7. And be it further enacted, That whenever the President of the United States shall have reason to believe that the provisions of this act have been, or are likely to be violated, that offences have been, or are likely to be, committed against the provisions of the act

hereby amended, within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney, of such district, to attend at such place within the district, and for such time, as he may designate, for the purpose of the more speedy and convenient arrest and examination of persons charged with the violation of the act hereby amended; and it shall be the duty of every such judge, or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

SEC. 8. And be it further enacted, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation, and to enforce the due execution, of this act, and the act hereby amended.

SEC. 9. And be it further enacted, That this act shall continue in force for the period of two years, and no longer.

APPROVED, March 10, 1838.

DOMESTIC INTELLIGENCE.

FLORIDA WAR.

NORFOLK, March 17.—By the arrival of the steam packet Neptune, Capt. Pennoyer, from Charleston, on Wednesday, we have received from our correspondents the papers of that date, and a variety of slips from the southern offices.

We learn from a gentleman who came passenger in the Neptune, that 250 Indians and 150 negroes had come in to Gen Jesup. Most of the negroes belonged to Indians, who had already emigrated, and they were despatched to Tampa, on their journey west.

The head quarters of Gen. Jesup were at Fort Jupiter, about four miles from Jupiter creek, where he was at the latest advices.

Gen. Eustis arrived at St. Augustine on Saturday last, on his way to Black Creek, to assume the command of the second division.

We regret to learn that the dysentery prevails to a great degree among the troops stationed at Fort Jupiter.

Sam Jones, with the Micasukies, is some miles south of Fort Jupiter, in a swamp almost wholly inaccessible.

It is painful to reflect that many valuable lives are yet to be expended in the prosecution of this disastrous war.

Among the passengers in the Neptune were Capt. Winder and Lieut. Bragg of the U. S. army.—*Beacon.*

The Charleston Courier of Tuesday says: "Capt. Skinner, of the schr. Tripoli, arrived here yesterday, in three days from Jacksonville, informs us that the mail rider between St. Augustine and Jacksonville had been killed by the Indians, and that the report of Gen. Jesup's having taken 400 Indians, was incorrect."

INDIAN AFFAIRS.

RALEIGH, N. C., March 19.—We entertain serious fears that much difficulty is about to be experienced in carrying into execution the treaty with the Cherokee Indians, which provides for their removal beyond the Mississippi. We have a considerable body of them, it is known, in the southwestern part of North Carolina, and so alarming are the indications of hostility among them, that the General Government has made a requisition upon the Executive of the State, for a force of volunteer infantry. The Adjutant General has, accordingly, by the direction of Governor Dudley, issued orders to the proper commanding officers to call out their respective regiments, with a view to the immediate organization, if practicable, of one or more volunteer companies in each.—*Register.*

NEW ORLEANS, March 14.—Lieut. Reynolds, of the Indian Department, and connected with the removal of the Creeks, who summered at Pass Christian this last season, arrived at this port on Monday evening, in the brig Homer, from Charleston, in charge of 215 Seminole Indians; among whom are Micanopy, King Philip, Cloud, and Coahajo, the principal chiefs. They are now stationed at the barracks below the city. To-day Lieut. Reynolds goes to Fort Pike, for the purpose of removing the Indians over to this city, and as soon as the necessary arrangements can be made, they will be conveyed up to Arkansas. The party are in good health.—*True American.*

LIEUT. OTTINGER.—Through the politeness of P. A. BARKER, Esq., we have been favored with the perusal of a letter received by him from the Hon. LEVI WOODBURY, complimenting in the highest terms, the meritorious manner in which Lieut. Ottlinger (of the revenue cutter) discharged the duties assigned to him in the late attempt of the patriots to cross into Canada from Comstock's. If it were necessary, we could also give additional testimony to the conduct of this gallant officer, but it is not; the credit awarded to him by the Department, of which Mr. Woodbury is at the head, carries with it enough that should inspire him on to the standing in our navy his talents so eminently qualify him for.—*Buffalo Journal.*

REVENUE CUTTER ERIE.—This beautiful craft, under the command of Capt. DOBBINS, of the U. S. Navy, has attracted considerable notice from a great many of our prominent citizens. The kindness and courtesy of her commander, together with Lieuts. O'Conner and Ottlinger, have won for each the highest respect, and sustained, in every instance, the title which has, for so many years, distinguished the officers of our navy, whether in foreign parts, or lying quietly within our own waters.

The man-of-war discipline, and the neatness of the crew, we venture to say, is not exceeded by any other vessel in the service. The Erie, although clipper-built, and ranks high among our seamen as a fast sailer, is entirely too small for the purposes for which she is designated. Her tonnage is somewhere in the neighborhood of sixty-five, and her accommodations will scarcely berth fifteen men. It seems to us that, for the protection of our revenue laws and commerce, a vessel of some 150 or 175 tons, with accommodations for some forty men, would answer a better purpose. The inducements, the coming season, for smuggling, and doubtless for the committing of depredations on our lake frontier, will render the Erie not half the service to the Government the place of a larger vessel would supply. One thing is certain, that unless the Department at Washington take the subject up, the Government will be subjected to a heavier expense the coming season, in the employment of a steamboat, for the rigid enforcement of our revenue laws.—*Ibid.*

[In the foregoing paragraphs the Navy and Revenue Cutter service are confounded together; whereas, they are entirely distinct, being under the charge of different Departments.—*Ed. A. & N. C.*]

WASHINGTON'S BIRTH-DAY.

MOBILE, 24th Feb., 1838.

Lieut. J. G. Barnard, U. S. Eng'rs.

DEAR SIR: The undersigned Committee of Officers, in returning their thanks to you for your acceptance of their request, that you would deliver an Eulogium on the character of Washington on the 22d instant, cannot resist the impulse which prompts them to express to you the high gratification they received from your address, and the unusual delight it gave the most numerous assembly ever convened in our city.

The undersigned, in obedience to the strong and earnest desire of their respective companies, of the many societies, and of the citizens generally, who, being present on that occasion, had the pleasure of hearing you; and in consonance with their own strong feelings of pride and pleasure in the production, and friendship for yourself, respectfully request of you a copy of the eulogium for publication.

JOHN F. PAGLES,
GEORGE HUGGINS,
R. W. WALTON,
THOS. W. McCOY,

Com'tee.

MOBILE, Feb. 24, 1838.

*Capt. T. W. McCoy,
of the Washington Light Infantry:*

DEAR SIR: Allow me, through you, to express my warm acknowledgments to the committee, of which you are a member, for the flattering notice they are pleased to take, in their note of this morning, of my poor efforts on a recent occasion, and also for the kind feelings which it evinces towards me personally.

Sensible that I am indebted to the partiality of my friends, and to the glow of warm feelings which the occasion excited, rather than to its intrinsic merits, for the favorable manner in which my eulogium has been received, allow me, in placing it in your hands for publication, to wish, what my fears do not permit me to hope, viz: that its perusal will justify the first impression it has made.

Respectfully yours, &c.,
J. G. BARNARD, Lieut. Eng'rs.

From the Montreal Courier of March 12.

We hasten to lay before our readers a copy of another despatch from Col. Maitland to Col. Foster:

AMHERSTBURGH, U. C., 5th March, 1838.

Dear Colonel: I have to report to you that Sutherland and a young man of the name of Spencer, who they say is his aid-de-camp, were captured yesterday by Col. Prince, of Sandwich, about two miles on the ice; he brought them in here, and lodged them in the guard-house; but I think it is not safe that they should remain here long; I shall forward them to-day, under a strong escort, to Toronto, in charge of Capt. Rudyer, of the loyal Essex volunteers.

I have had no conversation with this man, except merely to state to him that it was my duty to send him to Toronto.

Capt. Rudyer has been acting here as Brigade Major since the calling out of the militia force in this part of the country. I and Col. Townshend have found him very useful in this situation; he was with his company with me at the capture of Point au Pellee Island, and will be able to give you any information you may require upon this subject.

I was very lucky in having nearly the last of the frosty weather to drive these fellows off the island, for last night and this morning the weather has become soft, and the ice is beginning to get rotten.

Somehow or other, I think Sutherland must have been making his way to the island when he was taken, but he pretends to know nothing of the action that took place.

I have nothing new to report to you. Our wounded men are doing pretty well, but some of the wounds are most severe bone wounds. I have been obliged to send to London by express, for the other assistant surgeon of the regiment; indeed, I think if he could be spared, another army medical officer is required here for the moment.

Enclosed is a deposition made before a magistrate by Colonel Prince, relative to the capture of Sutherland and Spencer.

I am, dear Colonel,

JOHN MAITLAND,

Colonel commanding Western District.

To Colonel FOSTER,
Commanding the Forces in Upper Canada, &c. &c.

Toronto.

From the Buffalo Commercial Advertiser.

GEN. SCOTT AND COL. HUGHES.

It gives us much pleasure to lay before our readers the manly and soldier-like communication of Gen. Scott, to Col. Hughes, commanding her majesty's forces on the Niagara frontier. Although a spirit of becoming courtesy and forbearance pervades the letter, yet it has all the attributes which have hitherto denoted the lofty American character of the writer. Its tone and sentiments afford an ample refutation of the false and malicious charges against Gen. S. made by speaker McNab, and the members of the provincial house of assembly.

We copy from the Montreal Gazette of the 24th ultimo.

HEAD QUARTERS,
Eastern Division, U. S. Army,
BUFFALO, Jan. 20, 1838.

SIR—I had the honor to receive by the hands of Capt. Maitland, your letter of the 16th instant, which enclosed one of the same date from Capt. Drew, of the Royal Navy, and I have since received the communication of Col. McNab, commanding her Majesty's militia and naval forces on the Niagara frontier, dated the 18th.

I begged Captain Maitland to offer you my numerous and pressing engagements, as an apology for my not giving, at the time, a more formal acknowledgement of the first and second notes; and the same apology was repeated through Capt. Glasgow, whom I have since had the pleasure to receive as a visitor.

Both Cpts. Maitland and Glasgow had opportunities (and I was pleased that it was so) to witness the character of my occupations, which had for their object the defeat, by harmonizing all the authorities, civil and military, both of the general and state governments, of the hostile expedition on foot, within our jurisdiction, against her Majesty's neighboring provinces.

From the measures taken, and ready to be applied, I am happy to repeat what I orally communicated through Captains Maitland and Glasgow, that I entertain a well grounded hope that we shall be able to prevent the embarkation of any considerable portion of the men and arms of that expedition, on this side of Cleveland; and Brig. Gen. Brady, U. S. Army, under my command at Detroit, has taken measures, in conjunction with his excellency the Governor of Michigan, to maintain the obligations of neutrality in that quarter.

At this place I think we shall be able to prevent any hostile embarkation; and the steamer Barcelona has already been out, and will proceed again, the moment the wind shall permit, with a detachment of the United States troops and the proper civil officers, as high up the lake as Dunkirk, looking into the Cattaraugus and Silver creeks on the way. Another and a better steamer, the Robert Fulton, will follow to night, or early in the morning, with a large detachment. The latter may go as far as Detroit, and certainly, the weather permitting, as high as Cleveland. The object of both boats and detachments is the same—to prevent the embarkation of the hostile expedition.

As was explained to Cpts. Maitland and Glasgow, my powers to effect that object have been much enlarged since I had the honor to address you my former note, and we (the civil authorities and myself) are daily in expectation of receiving a new act of Congress, giving us yet more ample authority.

The steamer New-England, lying in this port, and understood to be engaged to take off portions of the hostile expedition from points above, we hope to find the means of detaining. I have, in the act of writing this sentence, the further hope of hiring and taking her into the service of the United States.

I give these details in the spirit of national amity.

and in the sincere hope that the neutral relations of the two countries may long be maintained.

It is with reluctance that I advert, and I shall merely advert, to certain points in the three communications acknowledged above.

I cannot stipulate, as you have proposed, as the price of *your* respecting the sovereignty of the United States, "to stop the *Barcelona*, or any vessel which may be employed in the same cause, and have her examined, to ascertain whether or not they may have any of the rebels on board, lately in arms upon Navy Island, or any of their arms or other munitions of war;" and so I said orally, through Capt. Maitland, and added:—that whilst I shold be happy to do all that our laws would permit to maintain our neutral relations with Great Britain, I had another high duty to perform—that of preventing, by all the means I could command, the violation of the sovereignty of the United States.

I said in my note of the 15th instant, to the commanding officer of the armed British vessels in the Niagara, that it gave me pain to perceive the armed vessels anchored in our waters, with the probable intention to fire upon the expedition moving within the same waters, and that I shdld "be obliged to consider a discharge of shot or shell from or into our waters, from the armed schooners of Her Majesty, as an act seriously compromitting the neutrality of the two nations."

Capt. Drew, in the reply which I am thus acknowledging, has been pleased to mistake my point, and to raise another, which certainly, in time of peace, no functionary of the United States will ever question, viz:—the common right of both nations to navigate, in all their breadth, the waters of the Niagara.

Col. McNab, who will pardon me for not addressing myself directly to him,—indeed I have not the time without neglecting some urgent duty of neutrality,—has opened upon me a wide field of complaint and controversy. What may be his peculiar views of international laws, as applicable to recent and present circumstances on this frontier, I have, in the way of discussion, nothing to do. That code is only open to me, and I shall not fail, regardless of his admonitions, to apply it to current events.

I will, however, state to you, in the spirit of amity, that I knew when the steamer, the *Barcelona*, was on the 15th, 16th and 17th instant, passing up from Grand Island to this port, she had no part of the personnel or materiel of the hostile expedition onboard.

Colonel McNab tells me that, but "for an unfortunate misapprehension of the orders given by Capt. Drew," that that vessel—(she alone passed up) would have been assailed. More pacific than the Colonel, I call that misapprehension a most fortunate event; and only regret that some equally kind influence did not preside over the friendly relations of the two countries on the night of the unhappy affair of the *Caroline*.

As to the alleged discharge of arms from Grand Island, on the 13th instant, by a party of New York militia, upon the boat of Lieut. Emsley, of the royal navy, and the correspondence which ensued between Col. McNab, and Col. Ayres, of the New York militia, on the subject, I have no knowledge except through Col. McNab. I shall inquire for that correspondence, and refer the whole subject for investigation to the proper State authorities now present, only remarking at this time, that Col. Ayres was not then, nor is yet, taken into the service of the United States, or under my command. I have no doubt that all that is proper will be done in the case, and to that end I shall give my attention.

Gen. Arcularius, who has, I know not how, got into correspondence with her Majesty's authorities on this frontier, has, I believe, returned to Albany. He had no command on this frontier, either under the state or general government—being here, I learn,

as the agent of the former, to claim and to get possession of certain arms purloined from the state arsenals. Many of these cannon and muskets have already been recovered, and we hope soon to recover the remainder.

I have received a note from Lewiston, stating that a ferry boat, belonging to that place and Queenston, has for some cause or other, been detained on your side of the river, to the great inconvenience of our people in that neighborhood.

I make no complaint on the subject, because I am ignorant of all the material circumstances; but will suggest whether it may not contribute to the restoration of good feelings on both sides, to permit the ferry-boat to resume her usual trips, particularly as I think I can assure you, all the Navy Island people have advanced up the country, to this place and beyond.

I have the honor, &c. &c.

WINFIELD SCOTT.

P. S.—I have engaged the New England, and a party of troops has just gone down to take possession of her. The hostile expedition can now obtain no boat this side of Erie.

W. S.

Col. C. HUGHES, British Army, commanding, &c. &c.

FOREIGN INTELLIGENCE.

BLOCKADE OF BAHIA, IN BRAZIL.—Capt. Dolby, of the brig *Globe*, of this city, 33 days from Bahia, reports that the Brazilian Government is enforcing the blockade of that port in the most rigorous manner, they having employed off that port, 16 men of war. From this we infer that the blockade is kept up in the manner in which the United States Government acknowledges the blockading system.

We recollect that during the war between Brazil and Buenos Ayres, in the years 1826 and 1827, Brazil commenced a system of blockading the river Plate by paper bulletins, and not by the force and presence of men of war, which was the cause of a vast deal of annoyance to our commerce trading to that quarter of the world. In some instances our merchantmen were seized on the high seas off that coast, under the pretence that they were about breaking the *blockade* by making the best of their way to Buenos Ayres! By this unwarrantable course, our commerce was much interrupted and our merchants suffered loss, which would no doubt have been of tenfold magnitude, but for the presence of our townsman, Commodore Biddle, in the frigate *Macedonian*. By his indefatigable exertions and the very limited force under his command, the frigate *Macedonian* and sloop *Boston*, much was accomplished and many of our citizens saved the miseries of a Brazilian prison ship.

Our naval force now on the Brazilian coast should be increased by the addition of two or three sloops of war.—*United States Gazette*.

BRAZIL.—We learn from Capt. Mugford, of the ship *Black Warrior*, last from Pernambuco, that the port of Bahia was blockaded by a squadron of the Imperial Brazilian Government. The U. S. ship *Fairfield* was lying there. An American brig having forced the blockade, it was rumored at Pernambuco that she had received assistance in the attempt from the *Fairfield*, and that, in consequence, a Brazilian officer had challenged the captain of that vessel.—*N. Y. Courier*.

From the Boston Transcript.
FROM THE SANDWICH ISLANDS.

We have our regular files of the Sandwich Island Gazette to Aug. 5th. The principal topic is the imprisonment and ultimate discharge of two Catholic Missionaries—Messrs Bachelot and Short. Of the merits of the case, however, the papers leave us entirely in the dark, but the facts may be gathered from

the following extract of a letter from a Bostonian, resident at Honolulu, Oahu. He writes under date July 14, 1837.

"Seventeen years ago, the American Board of Missions sent to these Islands its first Missionaries. They commenced operations, reducing the language to writing, and instructing the chiefs and people in the doctrines peculiar to their sect. The nation soon perceived that the object and errand on which they came, was one of benevolence and charity, and it consequently met the entire approbation of the rulers. Seven years after the arrival of the American Missionaries, two Catholic priests arrived in a French ship, and commenced promulgating their doctrines, and making converts. The King perceiving that two religions would create dissensions among his people, and ultimately produce a revolution, banished them forever from his kingdom. The decree of their banishment was signed by his Majesty and all his Chiefs in Council, and by them made known to the British and American Consuls, in 1831. Here the matter rested until within a few weeks, when a British brig, owned by a Frenchman, arrived from California, having on board, as passengers, the two proscribed French Missionaries. They landed. The Government of Oahu immediately informed the King (then at one of the Windward islands) of the fact; the King wrote to the Governor that the edict of banishment was still in force, and ordered him to take the two Catholics and put them on board the vessel in which they came; the Governor executed the order.

The French captain hauled down the British flag and abandoned the vessel to the Consul. He, thinking his nation's flag insulted, caused it to be publicly burned! Between the time of the arrival here of the brig and the enforcing of the King's order in relation to the Catholics, she had been chartered by an American, who had put on board of her \$12,000 worth of merchandize; consequently the American Consul considered that notice of the "outrage" came within the sphere of *his* duty. Documents were drawn up by the British and American Consuls, and the French captain, and a vessel was despatched to Valparaiso for ships of war to come down and avenge the three insulted nations! A week after the departure of this vessel to Valparaiso, a British sloop-of-war and a French frigate arrived here, the commanders of which, on hearing the reports of the Consuls, informed the Government that they considered their proceedings equivalent to a declaration of war against France and England, and should act accordingly. They immediately recaptured the "seized" brig, and liberated the "imprisoned" Catholics. The Governor of Oahu declared his Government at an end, and despatched a vessel for the King. Another vessel has arrived today from Marie, with the news that his Majesty will embark on board his sloop of war for this port in all next week."

A further extract under date of July 26, says:—"Since writing under date of the 14th, the difficulties which were existing between this Government and the commanders of the two vessels of war, have been amicably settled. The commanders now look upon the subject in an entire new light, and feel not a little chagrined at their precipitous conduct, when first arriving. The Government has consented that the two Catholic missionaries shall remain here till the arrival of another vessel of war, when they are to leave the Islands forever."

MISCELLANY.

THE NEW YORK STATE ARSENALS.

Communicated from the Governor to the Assembly.

GENTLEMEN: In compliance with the resolution passed by you on the 2d instant, requesting me to communicate such information as I may possess in

relation to the unlawful seizure and removal of muskets, ordnance, and other property of the State, from the arsenals, &c., I herewith transmit to you a letter (marked No. 1) from Jason Fairbanks, Esq., keeper of the State arsenal at Watertown. That arsenal was broken open, as this letter states, on the night of the 18th ult. by persons unknown, and about three hundred and thirty stand of arms, belonging to the people of this State, were taken from it and carried away. It also appears, by a communication herewith transmitted, (marked No. 2.) from Nathan Follett, Esq., that previous to the 25th of February, and probably about that time, the State arsenal at Batavia was also broken open, and some of the State property, deposited therein, (about two thousand pounds of powder and one hundred muskets,) was taken and carried away.

I also, herewith, transmit to you two letters, marked No. 3 and 4, the one a copy of a letter sent to Brig. Gen. J. E. Wool, of the U. S. army, in command of the northern frontier, by Augustin C. Hand, Esq., keeper of the State arsenal at Elizabethtown; the other a communication from him to me, enclosing the said copy. By these letters, it appears that the State arsenal at Elizabethtown was broken open, and one thousand muskets with bayonets, twenty-six rifles, twenty pair of pistols, and a large quantity of knapsacks, belonging to the people of this State, were stolen and carried away on the night of the 25th ult. It is proper to observe that the state arsenals above mentioned, as well as one or two others, are not, nor were they designed to be, places of strength. They are merely deposits for arms and munitions of war, and the location of them not far from the frontiers of the State, was deemed judicious in reference to a very different state of things from that which now exists.

Each of these arsenals has ever been without any guard, and has been hitherto left in charge of a single individual, denominated a keeper, whose compensation is limited, by law, to a sum not exceeding twenty five dollars per annum. It was anticipated that there would be, at all times and under all circumstances, a general disposition among our citizens in the neighborhood of those establishments, to defend them whenever they should be threatened with an attack or exposed to be pillaged; and, therefore, nothing more was deemed necessary in relation to their security than to put them into the charge of a keeper.

Recent events, however, have shown that the security heretofore relied on is insufficient and that the property of the State ought to be withdrawn from its exposed condition, or more ample means should be provided for its safe keeping. The object of establishing arsenals in the northern and western sections of the State, and depositing in them arms, ammunition, and other implements of war, was undoubtedly to furnish the inhabitants on the frontiers, with the means of defence, on sudden emergencies, in cases of danger from abroad, and for this purpose I think these establishments ought to be kept up.

But I recommend that express authority should be given, either to the Governor or the local civil or military officers, to employ a competent guard to protect these arsenals, and to secure the property of the State contained in them, whenever there is just cause to apprehend danger from any quarter whatsoever. Their defenceless condition, and the knowledge that there was no competent force to protect them, or proper officer vested with authority to call out such a force for that purpose, unless the movement assumed the shape of an insurrection, have probably had a tendency to invite the aggressions that have been committed on them.

In the latter part of December last, I received information, in some instances in the shape of reports, and in others in a more authentic form, that field-pieces, belonging to the State, and entrusted to the

artillery companies, had been forcibly taken away. I requested the Commissary General (he being the officer to whose custody the military property of the State is by law confided) to repair to the section of the State where these lawless acts were alleged to have been committed. The annexed paper, marked No. 5, is a copy of a letter addressed to some of the persons from whom I had received information on the subject; it discloses the object of the Commissary General in visiting the western part of the State. The residence of this officer being at New York, I shall not be able to obtain from him, in detail, such information as he collected on that occasion relative to the objects embraced in your resolution, in season to transmit it with this communication.

From a letter dated at Buffalo, on the 7th of January last, the Commissary General expresses an opinion that about twenty field pieces and two hundred muskets, belonging to the State, had at that time been seized and taken to Navy Island. [Extract of a letter of Commissary General to Governor, marked No. 6.] It appears by the accompanying memorandum, dated 12th January, [marked No. 7.] that he had then particular information in relation to the seizure and removal of twelve pieces of ordnance.

From recent movements on the northern frontier, apprehensions were entertained that the field pieces in the possession of the companies of artillery in the northern section of the State might be seized by those who are intent upon making an incursion into Canada; the annexed order, (marked No. 8,) was issued for the purpose of preventing these field pieces from being unlawfully seized, and with a view to have them at command in case an emergency should happen in which they might be needed by the militia in the service of the State or the United States. Accompanying this communication, I send you copies of certain affidavits, numbered 9, 10, 11, 12, and 13, all containing facts in relation to the seizure and removal of the ordnance and arms of this State.

From the foregoing statement, and the documents referred to, it clearly appears that, within a very short time, three of the State arsenals have been broken open and plundered; and since the beginning of December last, about twenty field pieces, belonging to the State, have been clandestinely or forcibly taken from the possession of military officers to whom, in pursuance of law, they had been entrusted. The persons who have committed these acts, and those, knowing their objects, who have assisted them, are guilty of crimes to which the laws have affixed the ignominious penalty of confinement in the state prison.

There are several circumstances which conspire to render the conviction of these criminals a matter of great difficulty. It is quite evident that the number of persons who have in this manner incurred guilt and exposed themselves to punishment, is very considerable. It is not reasonable to believe that any of these lawless acts have been committed without the approbation and co-operation of several individuals. The criminals, and some of those who sympathise with them in feeling, it is natural to expect, will combine to counteract, and, if practicable, defeat the measures which may be adopted to procure convictions. Not only the offenders, but the witnesses, whose attendance on the trials it may be necessary to obtain for the purpose of proving the offences, may be in different parts of the State, or of the United States. Among them, there are doubtless many who have no fixed place of residence, and it will require much diligence and attention on the part of the prosecuting officers to trace them out, and procure their attendance at the courts.

It has been very evident, from the first outbreak of the disturbances in the Canadas, that among our citizens there were very many who sympathised with those who had arrayed themselves against the Government of those provinces; there were a few who personally

embarked in their cause, and more who one way and another countenanced and comforted those engaged in it. I am persuaded, however, that the number of our citizens who, in the indulgence of their feelings, might have been carried beyond the strict line of duty to their own country, would have been comparatively few, had not the outrage at Schlosser been committed; and not only committed, but avowed as an authorized act by the officers and Government of Upper Canada, and the persons who perpetrated it commended and rewarded by marks of public distinction.

This lawless act on the part of the Canadian authorities, and the manner in which it has been justified and commended, has added vastly to the current of public sympathy among our citizens in behalf of those who are opposing the Canadian Government. Under the impulse of the feelings which have been thus excited, many have been betrayed into acts inconsistent with the neutral relations of their country. To this cause it is fair to ascribe a feeling somewhat diffused through the community, which may embarrass and obstruct the proceedings instituted on the part of the people of this State, to bring to punishment those who have violated our laws in breaking open our arsenals and gun houses, and stealing therefrom the property of the State. It is not to be disguised, that the tone of public sentiment in relation to these transactions, owing to the cause to which I have referred, is such that the officers of justice cannot expect much voluntary aid in prosecuting the offenders.

In view of the circumstances alluded to, and others that will readily suggest themselves, I have thought that the prosecution of those who plundered the State of its property, if left to the district attorneys of the counties, would not be likely to be so successful as it would be if entrusted to some person or persons particularly charged with conducting it, and having a general jurisdiction in each county where any of the said offences may have been committed. I, therefore, gave my decided approbation to the bill introduced a few days since by the chairman of that branch of the joint committee selected by your body, to which the Governor's special message of the 2d January was referred. I still think, and I say it without the least disparagement to the county prosecuting attorneys, that without some such provisions of law, I fear they will encounter many and formidable difficulties in these prosecutions, and not a few of the offenders may escape the punishment they have incurred by their depredations upon the property of the State.

I am not aware that any case has heretofore existed, where such an enactment as that now proposed, was so necessary as in the one under consideration; none, in my view of it, where the number of offenders was so numerous and so widely dispersed; where it required so much labor and preparation to collect the testimony and procure the attendance of witnesses; where so much resistance was to be dreaded from extensive combinations; and where so little assistance could be expected from public feeling.

In replying to that part of your resolution, which requests me to suggest such measures as in my judgment may be necessary, to prevent unlawful, armed assemblages of the citizens of this State, it is proper, I presume, to consider it as having reference to the present movements on our northern and western frontier. There is no little difficulty in determining what a State can, as well as what it should do, in such a conjuncture. Those who are assembling on the frontier of this State for the purpose of invading Canada, are acting against their duty as citizens of the United States, and violating the laws of the United States. A State, strictly speaking, has no foreign relations, and consequently is not provided with laws regulating the conduct of its citizens, with regard to such relations.

The Federal Government has the exclusive right, and to it appertains the sole duty, of regulating the

intercourse with foreign States. If legislation should be attempted on the subject of foreign intercourse and neutral relations, by a State, it would be the re-assumption of a power clearly and expressly delegated to the General Government. The assemblage of persons on our borders, armed and actuated by an intention to make incursions into the Canadas, would be unlawful, not in regard to the laws of this State, but in regard to those of the United States. It behooves the Government which has the exclusive right to impose the duty, to provide for enforcing its performance.

There would be much difficulty, as well as delicacy, in the attempt, on the part of the legislature of this State, to devise sanctions for the laws enacted by Congress; that is, by a distinct and independent legislative power. This State cannot prescribe to its citizens their duty in relation to neutral relations. The duty on their part to sustain these relations with foreign powers, is a duty which they owe to the General Government.

So far, therefore, as the armed assemblages referred to in the resolution, whether actually formed or only contemplated, are to be considered as unlawful, in regard to the laws of the United States, I am not prepared to suggest measures concerning them, believing that any adopted for such an object would be beyond the range of State legislation, and if attempted to be executed, could not fail to bring the State authority in conflict with that of the United States; and believing also that the General Government will speedily provide an efficient remedy for the apprehended evils.

An armed assemblage of our citizens, if it were unlawful with respect to State laws, would be an insurrection, and the civil magistrates are now vested with authority to suppress it. I would, however, as somewhat connected with this subject, recommend that the laws in relation to calling out the militia, as well to repel invasion as to act in aid of, and in subservience to, the civil authority, in suppressing insurrections, riots, and mobs, should be revised, and the cases in which the military power is required to act, should be clearly defined, and the manner of calling them out on such occasions be explicitly stated.

W. L. MARCY.

ALBANY, 5th March, 1838.

EXTRAORDINARY SURGICAL CASE.—In the current number of the *Lance*, Dr. Byrnes, of the Royal Navy, has placed upon record a case, which equals in interest the celebrated Copenhagen needle case, which attracted the attention of the scientific world a few years since. Robert Smis, aged 23, of her Majesty's ship Belvidera, was placed on the sick list in the month of June, 1831, with a boil on the right side of his back, rather below the shoulder. This was opened, and a black shining substance discovered at the bottom of the wound. The opening was made larger, and it was found to be a piece of steel, about the size of a ramrod, too firmly bedded to be easily removed. The usual treatment was pursued until early in August, when a free incision was made, and, to the surprise of all present, a two-pronged kitchen fork, broken short at the handle, and minus the lower part of one of the prongs, was extracted. The man declared himself to be totally unable to account for its presence and there was only a very slight mark on his back, rather resembling a vaccination spot than the scar of a wound. In the course of November of the present year he, again came under Dr. Byrne's notice, when the remaining portion of the prong was found on the left side of the neck, having worked itself a passage from the right side of the back. It was easily removed and the man soon recovered.

[Rather tough to swallow, Can any of our surgeons or sailors match the above case? *Ed. A. & N. C.*]

RUSSIA AND GREAT BRITAIN.—On the 14th ult. Mr. Attwood of Birmingham, held this queer talk:

He held in his hand a pamphlet written by Commander Crawford, from which he would read a few extracts, who described the state of the Russian fleet at Cronstadt. He (Mr. Attwood) was sorry that a tradesman like him should find it his duty to bring forward this great and serious matter, while the officers of the army and navy who sat there for the vindication of the honor of their country—if they sat there for anything—and if they did not sit there for that purpose, the sooner they quitted it the better—(Laugh)—did not think proper to bring this question forward. It did not become him to criticize their motives, but he might possibly suspect that one set of men were alarmed, least they should incur the displeasure of the ministers; and another set, least they should incur the displeasure of the *petto* Ministers—the would-be Ministers—(Laughter;)—but he trusted the honor of England would not be compromised in consequence of their silence. Captain Crawford, in his pamphlet, stated it was a strange feeling that came over him as an Englishman, on finding himself in the Baltic, with twenty-six line of Russian battle ships, with 30,000 men, better soldiers than sailors, and four months of provision on board; knowing that to protect our channels and our ports we had only seven line of battle ships in a state of preparation, and those not fully manned. Captain Crawford stated that he absolutely trembled for the preservation of our ancient sovereignty of the seas. The Hon. Member proceeded to read several long extracts from the same pamphlet as to the state of discipline in which the Russian Navy now was, through the exertions of officers who had received their nautical education in the English Navy; and concluded by stating that Britain no longer enjoyed that superiority upon the ocean which she had so long boasted. He did not care whether Russia was our friend or not; the moment a country depended upon the friendship of a tyrant, that moment the people became slaves. Yet while all this was going on, the Government were quietly at home asleep upon the benches of the House.—(Laughter.) He had told them three or four years ago how things were going on.—(A laugh.) What did they laugh at? His Hon. friend laughed; but would he laugh if the Russians appeared in twenty six line of battle ships on the coast of Norfolk?—(Laughter.) They might laugh, but he spoke upon the authority of an officer in the British navy, and England had no power to prevent them appearing off that coast. Upon the authority of the American captain of the *Independent*, he last year met a fleet of eighty vessels of war belonging to Russia, yet England had no power of preventing them appearing off this coast. What force had England to prevent them entering the river Thames, and burning Sheerness? He was told that they had six ships at Lisbon—they were ostensibly kept there for the purpose of protecting the life of the Queen of Portugal—they were no such thing; they did not care a rush for the life of the Queen; they were wanted for the purpose of crushing liberty in that country; they were wanted for the purpose of allowing the Queen of Portugal to break her oath, and crushing the rising liberties of that country. Bring away those ships, and then you would have thirteen at the mouth of the Thames; but the Russians would come with twenty-six, and then where would be the power of boasted England?—(Hear.) they ought to be prepared to meet a war with Russia. They ought to be prepared to meet France and Holland and America, combined with Russia. All the little jealousies, which had so long existed in other countries, would be aroused, and they should therefore be prepared to crush Russia at once. Our Saxon ancestors had lost the dominion of the seas—they had a national debt or a private debt, or some infernal bedevilment of that

sort—(Laughter)—which prevented their meeting the Danes, who defeated them on all occasions. They lay down on their faces and sung psalms, instead of preparing for the fight. While he was stating these facts, one Hon. gentleman laughed—(Renewed laughter)—another Hon. gentleman cried, and a third Hon. gentleman went to sleep; and that was the way England in these latter days listened to the degradation of her ancestors.—(Hear, and a laugh.) He would be glad to hear what answer her Majesty's Government intended to make to the questions he was about to ask, and what remonstrances they had addressed to the Russian Government for its aggressions. He believed he had said enough upon that point.—(Cries of "Go on.") Why, he could perhaps speak for two hours more upon the subject—(much laughter)—but he would be glad to know why the Noble Lord had not destroyed the 15 line-of-battle ships which the Russians now had in the Black Sea, and which he could have effected on several occasions. If the fleet, which Sir E. Codrington commanded in the Downs in 1831, had been sent (as was expected it would have been) in the Baltic, Poland would at this moment have been independent.

Lord Palmerston said in reply, that explanations of the naval armaments in the Baltic had been asked, and that they were satisfactory:

STATISTICS OF WAR.—In the *London Despatch* we find some curious details of the expenses and loss of life, occasioned by the wars between England and France from 1697 to 1815. The table shows the cost of these wars to Great Britain, and the number of its subjects who perished in them.

	COST.	MEN.
The war which closed in 1697	£21,00,000	100,000
The war which commenced		
in 1702	43,000,000	250,000
" " 1739	48,000,000	240,000
" " 1756	111,000,000	250,000
The war of the American Revolution, in 1775	139,000,000	200,000
The French Revolutionary war in 1793	1,100,000,000	200,000

FRENCH COMMERCE.—It is stated that the tonnage of French vessels employed in the commerce of that kingdom, is 611,940 tons; while the tonnage of the United States amounts to nearly 2,000,000, and that of Great Britain to 2,100,000. The shipping owned in London is 573,000 tons, in New York 300,000 tons. In Havre, the most important seaport in France, the shipping owned is 78,187, in Marseilles, 71,414, in Bordeaux, 71,001, in Nantz, 58,604. It will therefore be seen more tons of shipping are owned in New York, than in the four principal seaports in France—and London owns almost as much shipping as is owned in the whole kingdom of France.

NELSON'S PERSONAL APPEARANCE.—“I had the watch on deck,” said Prince William Henry (his late Majesty,) “when Captain Nelson, of the Albemarle, came alongside in his barge; he appeared to be the merest boy of a captain I ever beheld, and his dress was worthy of notice. He had on a full-laced uniform; his lank, unpowdered hair was tied in a stiff Hessian tail of extraordinary length; the old-fashioned flaps of his waistcoat added to the general quaintness of his figure, and produced an appearance which particularly attracted my notice, for I had never seen any thing like it before, nor could I imagine who he was or what he came about. My doubts were, however, removed when Lord Hood introduced me to him. There was something irresistibly pleasing in his address and conversation, and an enthusiasm, when speaking on professional subjects, which showed that he was no common being.”—*Naval Keepsake for 1838.* (Just published.)

ARMY.

OFFICIAL.

SPECIAL ORDERS.

No. 12—March 26.—Lt. J. M. Wells, 7th Inf., temporary duty on recruiting service.

Lieut. Col. J. Fowle, 6th Inf., relieved from duty at the Military Academy, and ordered to join his regiment in Florida.

RESIGNATIONS.

First Lieut. C. S. Howe, 4th Inf., Feb. 28.

Second Lieut. J. R. Parker, 2d Drags., March 31.

NAVY.

ORDERS.

March 23—P. Mid. A. R. Taliaferro,* and Mid. W. L. Blanton, duty in the W. I. squadron.

24—Lts. G. M. Hooe* and T. M. Washington,* do. do.

Purser G. F. Sawyer, steam ship Fulton.

Lt. R. R. Pinkham, det'd from Receiving Ship at Norfolk.

26—Mid. F. Winslow, Naval School, Boston.

* To take passage in the ship Levant.

APPOINTMENTS.

George F. Sawyer, of Vermont, to be a Purser from the 20th March, 1838.

Edmund L. Dubarry, to be a Surgeon in the Navy from the 9th March, 1837, to take rank next after Surgeon W. F. Patton.

REVENUE CUTTER SERVICE.

PROMOTION.—A. V. Frazer to be a First Lieutenant, March 12, 1838.

APPOINTMENT.—Herman H. Green to be a Third Lieutenant, March 19, 1838.

VESSELS REPORTED.

Ship Natchez, Com'r. Mervine, anchored off the Brazos Bar, March 5, and was to sail next day on a cruise; all well.

Schr. Shark, Lt. Com'dt Pearson, at Norfolk, March 24, from the Mediterranean, last from St. Thomas. The Shark left at Mahon the U. S. ship Constitution, Capt. Boerum, flag ship; and the United States, Capt. Wilkinson, was at Cadiz on the 19th Jan.

MARRIAGE.

At Baltimore, on the 22 inst. Commander SAMUEL W. DOWNING, of the U. S. Navy, to Miss ELIZABETH CLARK, daughter of the Hon. JOHN C. CLARK, Member of Congress from the State of New York.

DEATHS.

In Norfolk, On Sunday evening, 18th inst. CLARA DUCACHET, infant daughter of Capt. CHARLES W. SKINNER, U. S. Navy.

In Norfolk, on the 18 inst. in the 25th year of her age, of a pulmonary complaint, Mrs. MARY JANE PEED, consort of Mr. NATHANIEL B. PEED, U. S. Navy.

At Elizabethtown, N. J. on the 18th March, GEORGE ELLIOT, only son of Capt. W. D. SALTER, U. S. Navy, aged 8 years and 4 months.

E. MULLAN, corner of Hester and Bowery streets, New York, calls the attention of Military officers, and the public in general, to specimens of Military Chapeaus and Beaver Hats, which have gained him the first premium at the three late fairs at Niblo's Garden, and which, he does not hesitate to assert, cannot be surpassed in the United States. Brush Hat, of a superior quality, long, medium, and short napped Beaver, Nutria, Otter, Seal, and Muskrat Hats. Hats made to order, singly or by the dozen, with neatness and despatch. Orders for military Hats from the South and other parts of the Union punctually attended to, carefully packed and forwarded, on reference to any responsible house in this city.

N. B. Officers or others sending for Military Hats or Caps will please mention their official gradation.

March 29 6t*